

REMARKS

This paper responds to the Appeal decision mailed October 27, 2009.

Claims 1, 3, 13, 14 and 19 are amended; claims 23-31 are cancelled, without prejudice to or disclaimer by the Applicant; as a result claims 1-22 are pending in this application.

Example support for the claimed amendments can be found throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification page 8 line 3 and continuing to page 9 line 20.

§103 Rejection of the Claims

Claims 1-3, 7-8, 9-17 and 20-28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Makarios et al. (U.S. 6,401,125) in view of Green et al. (U.S. 6,003,084). The proposed combination of references must teach or suggest each and every element in the rejected claims. Also, the rejections with respect to claims 23-31 are now moot points in view of the cancellation of these claims, without prejudice to or disclaimer by the Applicant.

Applicant has clarified what the features of a transparent proxy are as noted by the Appeal's Board as lacking to distinguish over Makarios and the proposed combination. Applicant has also made some additional amendments not shown or suggested in the proposed combination. As such, Applicant respectfully believes the deficiencies noted by the Appeal's Board have been addressed and respectfully request that allowance be provided.

Specifically, a transparent proxy cookie is now shown that is managed by the transparent proxy on the client and that maintains the relationship among the client, origin server, and the transparent proxy. Such, is not shown or suggested in the proposed combination.

Thus, the proposed combination does not show or suggest each and every element of the amended claims and the rejections should be withdrawn. Applicant respectfully requests an indication of the same.

Claims 4, 6, 18-19 and 29-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Makarios et al. in view of Green et al. as applied to claims 1-3 above, and

further in view of Callaghan et al. (U.S. Publication No. 2002/0007317). Claims 1 and 6 are dependent from independent claim 1; claims 18-19 are dependent from independent claim 14; and claims 29-30 are dependent from independent claim 27 (cancelled), thus for the remarks presented above with respect to the claims 1, 14, and 27, the rejections of claims 4, 6, 18-19, and 29-30 should be withdrawn.

Claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Makarios et al. in view of Green et al. in view of Callaghan et al. as applied to claim 4 above, and further in view of Birrell et al. (U.S. 5,805,803). Claim 5 is dependent from independent claim 1; therefore for the remarks presented above with respect to claim 1, the rejection of claim 5 should be withdrawn.

Claim 31 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Makarios et al. in view of Green et al. as applied to claim 27 above, and further in view of Lim (U.S. 6,728,884). Claim 31 is dependent from independent claim 27 (cancelled); therefore the rejection of claim 31 is moot.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By /  /

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